

**BEFORE THE  
DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

**In the Matter of the Accusation Against:**

**ROBERT JOHN SANTELLA, M.D.**

**Physician's and Surgeon's  
Certificate No. G 23945**

**Respondent.**

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**File No: 10-1996-61463**

**DECISION AND ORDER**

The attached Stipulation in Settlement and Order is hereby adopted by the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California, as its Decision in the above-entitled matter.

This Decision shall become effective at 5:00 p.m. on May 30, 2000.

DATED April 27, 2000.

**DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA**



**Ira Lubell, M.D.  
Chair, Panel A**

BILL LOCKYER, Attorney General  
of the State of California  
SANFORD FELDMAN  
Deputy Attorney General  
State Bar No. 47775  
Department of Justice  
110 West A Street, Suite 1100  
Post Office Box 85266  
San Diego, CA 92186-5266  
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Attorneys for Complainant

**BEFORE THE  
DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation	)	
Against:	)	Case No. 10-1996-61463
	)	
<b>ROBERT JOHN SANTELLA, M.D.</b>	)	
4531 College Avenue	)	<b>STIPULATION</b>
San Diego, CA 92115	)	<b>IN SETTLEMENT</b>
	)	<b>AND ORDER</b>
Physician's and Surgeon's	)	
Certificate No. G 23945	)	
	)	
Respondent.	)	

Complainant, Ron Joseph, Executive Director of the  
Medical Board of California ("Board"), by and through his  
attorney, Bill Lockyer, Attorney General of the State of  
California, by Sanford Feldman, Deputy Attorney General, and  
Robert John Santella, M.D. ("respondent"), by and through his  
attorney Daniel S. Belsky, Esq., hereby stipulate as follows:

1. The Division of Medical Quality of the Board  
("Division") acquired jurisdiction over respondent by reason of  
the following:

///

1           A.    Respondent was duly served with a copy of the  
2           Accusation, Statement to Respondent, Request for Discovery,  
3           Form Notice of Defense and copies of Government Code  
4           sections 11507.5, 11507.6 and 11507.7 as required by section  
5           11503 and 11505, and respondent timely filed a Notice of  
6           Defense within the time allowed by section 11506 of the  
7           code.

8           B.    Respondent has received and read the  
9           Accusation which is presently on file as Case No. 10-1996-  
10          61463 before the Division. Respondent understands the  
11          nature of the charges alleged in the Accusation and that the  
12          charges and allegations constitute cause for imposing  
13          discipline upon respondent's license to practice medicine  
14          which was issued by the Board.

15          2.    Respondent and his counsel are aware of each of  
16          respondent's rights, including the right to a hearing on the  
17          charges and allegations, the right to confront and cross-examine  
18          witnesses who would testify against respondent, the right to  
19          present evidence in his favor and call witnesses on his behalf,  
20          or to testify, his right to contest the charges and allegations,  
21          and other rights which are accorded to respondent pursuant to the  
22          California Administrative Procedure Act (Gov. Code, § 11500 et  
23          seq.), including the right to seek reconsideration, review by the  
24          superior court, and appellate review.

25          3.    Respondent freely and voluntarily waives each and  
26          every one of the rights set forth in paragraph 2.

27        ///

1           4.     Respondent understands that in signing this  
2 stipulation rather than contesting the Accusation, he is enabling  
3 the Division to issue the following order without further  
4 process.

5           5.     For the purpose of resolving Accusation  
6 No. 10-1996-61463, respondent admits that he failed to maintain  
7 adequate records as alleged in Paragraph 8 of the Accusation.  
8 Respondent hereby gives up his right to contest the charges and  
9 allegations in the Accusation relating to failure to maintain  
10 adequate records and agrees to be bound by the Division's  
11 Disciplinary Order which is based solely on his violations of  
12 Section 2266 and set forth below.

13           6.     Respondent understands and agrees that if  
14 he ever files an application for modification or early  
15 termination of probation, all of the charges and allegations  
16 contained in Accusation No. 10-1996-61463 will be deemed to be  
17 true, correct and admitted by respondent when the Division  
18 determines whether to grant or deny the application.

19           7.     It is understood by respondent that, in deciding  
20 whether to adopt this stipulation, the Division may receive oral  
21 and written communications from its staff and the Attorney  
22 General's office. Communications pursuant to this paragraph  
23 shall not disqualify the Division or other persons from future  
24 participation in this or any other matter affecting respondent.  
25 In the event this settlement is not adopted by the Division, the  
26 stipulation will not become effective and may not be used for any  
27 purpose, except for this paragraph, which shall remain in effect.

8. This Stipulation in Settlement and Decision is intended by the parties herein to be an integrated writing representing the complete, final and exclusive embodiment of the agreements of the parties.

9. The parties agree that facsimile copies of this Stipulation, including facsimile signatures of the parties, may be used in lieu of original documents and signatures. The facsimile copies will have the same force and effect as originals.

10. Based upon the foregoing, it is stipulated and agreed that the Division may issue the following as its decision in this case.

## ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 23945 issued to Robert John Santella, M.D., is revoked. However, revocation of said certificate is stayed and respondent is placed on probation for four (4) years on the terms and conditions set forth below. Within 15 days after the effective date of this decision, respondent shall provide the Division, or its designee, proof of service that respondent has served a true copy of this decision on the Chief of Staff or the Chief Executive Officer at every hospital where privileges or membership are extended to respondent or where respondent is employed to practice medicine and on the Chief Executive Officer at every insurance carrier where malpractice insurance coverage is extended to respondent.

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1                   1.     **PRESCRIBING PRACTICES COURSE**

2                   Within 180 days of the effective date of this decision,  
3 respondent shall enroll in and complete the PACE Prescribing  
4 Practices course given by the University of California at San  
5 Diego School of Medicine. Respondent may satisfy this  
6 requirement by submitting written proof that he has taken and  
7 successfully completed the PACE Prescribing Practices course  
8 within the one year preceding the effective date of this order.

9                   2     **EDUCATION COURSE**

10                  Within 90 days from the effective date of this  
11 decision, and on an annual basis thereafter, respondent shall  
12 submit to the Division or its designee for its prior approval an  
13 educational program or course to be designated by the Division,  
14 which shall not be less than 40 hours per year for each year of  
15 probation. This program shall be in addition to the Continuing  
16 Medical Education requirements for re-licensure. Following the  
17 completion of each course, the Division or its designee may  
18 administer an examination to test respondent's knowledge of the  
19 course. Respondent shall provide proof of attendance for 65  
20 hours of continuing medical education of which 40 hours were in  
21 satisfaction of this condition and were approved in advance by  
22 the Division or its designee.

23                  3.     **ETHICS COURSE**

24                  Within sixty (60) days of the effective date of  
25 this decision, respondent shall enroll in a course in Ethics  
26 approved in advance by the Division or its designee, and shall

27     ///

1 successfully complete the course during the first year of  
2 probation.

3                   4.     **CLINICAL TRAINING PROGRAM**

4                   Within 90 days from the effective date of this  
5 decision, respondent, at his expense, shall enroll in The  
6 Physician Assessment and Clinical Education Program at the  
7 University of California, San Diego School of Medicine  
8 (hereinafter, the "PACE Program") and shall undergo assessment,  
9 clinical training and examination. First, respondent shall  
10 undergo the comprehensive assessment program including the  
11 measurement of medical skills and knowledge and the appraisal of  
12 physical health and psychological testing. After assessment, the  
13 PACE Evaluation Committee will review all results and make a  
14 recommendation to the Division or its designee and the respondent  
15 and other authorized personnel regarding clinical training  
16 (including scope and length), treatment of any medical and/or  
17 psychological condition and any other matters affecting  
18 respondent's practice of medicine. Upon approval of the  
19 recommendation by the Division or its designee, respondent shall  
20 undertake and complete the recommended and approved PACE Program.  
21 At the completion of the PACE Program, respondent shall submit to  
22 examination on its contents and substance. The examination shall  
23 be designed and administered by the PACE Program faculty.

24 Respondent shall not be deemed to have successfully completed the  
25 program unless he passes the examination. Respondent agrees that  
26 the determination of the PACE Program faculty as to whether or

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1 not he passed the examination and/or successfully completed the  
2 PACE Program shall be binding.

3 Respondent shall complete the PACE Program no later  
4 than six months after his initial enrollment unless the Division  
5 or its designee agrees in writing to a later time for completion.

6 If respondent successfully completes the PACE Program,  
7 including the examination referenced above, he agrees to cause  
8 the PACE Program representative to forward a Certification of  
9 Successful Completion of the program to the Division or its  
10 designee. If respondent fails to successfully complete the PACE  
11 Program within the time limits outlined above, he shall be  
12 suspended from the practice of medicine.

13 Failure to participate in, and successfully complete  
14 all phases of the PACE Program, as outlined above, shall  
15 constitute a violation of probation.

16 **5. OBEY ALL LAWS**

17 Respondent shall obey all federal, state and local  
18 laws, all rules governing the practice of medicine in California,  
19 and remain in full compliance with any court ordered criminal  
20 probation, payments and other orders.

21 **6. QUARTERLY REPORTS**

22 Respondent shall submit quarterly declarations under  
23 penalty of perjury on forms provided by the Division, stating  
24 whether there has been compliance with all the conditions of  
25 probation.

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1                   7.     **PROBATION SURVEILLANCE PROGRAM COMPLIANCE**

2                   Respondent shall comply with the Division's probation  
3 surveillance program. Respondent shall, at all times, keep the  
4 Division informed of his or her addresses of business and  
5 residence which shall both serve as addresses of record. Changes  
6 of such addresses shall be immediately communicated in writing to  
7 the Division. Under no circumstances shall a post office box  
8 serve as an address of record.

9                   Respondent shall also immediately inform the Division,  
10 in writing, of any travel to any areas outside the jurisdiction  
11 of California which lasts, or is contemplated to last, more than  
12 30 days.

13                   8.     **INTERVIEW WITH THE DIVISION, ITS DESIGNEE OR ITS**  
14                   **DESIGNATED PHYSICIAN(S)**

15                   Respondent shall appear in person for interviews with  
16 the Division, its designee or its designated physician(s) upon  
17 request at various intervals and with reasonable notice.

18                   9.     **TOLLING FOR OUT-OF-STATE PRACTICE, RESIDENCE OR**  
19                   **IN-STATE NON-PRACTICE**

20                   In the event respondent should leave California to  
21 reside or to practice outside the State or for any reason should  
22 respondent stop practicing medicine in California, respondent  
23 shall notify the Division or its designee in writing within ten  
24 days of the dates of departure and return or the dates of non-  
25 practice within California. Non-practice is defined as any  
26 period of time exceeding 30 days in which respondent is not  
27 engaging in any activities defined in Sections 2051 and 2052 of

1 the Business and Professions Code. All time spent in an  
2 intensive training program approved by the Division or its  
3 designee shall be considered as time spent in the practice of  
4 medicine. Periods of temporary or permanent residence or  
5 practice outside California or of non-practice within California,  
6 as defined in this condition, will not apply to the reduction of  
7 the probationary period. During periods of temporary or  
8 permanent residence or practice outside California or of non-  
9 practice within California, as defined in this condition,  
10 respondent is not required to comply with any terms and  
11 conditions of probation other than the requirement for the  
12 payment of cost recovery, as set in paragraph 11 below.

13           10.     **COMPLETION OF PROBATION**

14           Upon successful completion of probation, respondent's  
15 certificate shall be fully restored.

16           11.     **VIOLATION OF PROBATION**

17           If respondent violates probation in any respect, the  
18 Division, after giving respondent notice and the opportunity to  
19 be heard, may revoke probation and carry out the disciplinary  
20 order that was stayed. If an accusation or petition to revoke  
21 probation is filed against respondent during probation, the  
22 Division shall have continuing jurisdiction until the matter is  
23 final, and the period of probation shall be extended until the  
24 matter is final.

25           12.     **COST RECOVERY**

26           Within 90 days of the effective date of this order,  
27 respondent shall pay the Division the amount of \$4,094.08 for its

1 investigation and prosecution costs. Failure to reimburse the  
2 Division's cost of its investigation and prosecution as set forth  
3 herein shall constitute a violation of the probation order,  
4 unless the Division agrees in writing to payment by an  
5 installment plan because of financial hardship. The filing of  
6 bankruptcy by the respondent shall not relieve the respondent of  
7 his/her responsibility to reimburse the Division for its  
8 investigative and prosecution costs.

9           **13. PROBATION MONITORING COSTS**

10           Respondent shall pay the costs associated with  
11 probation monitoring each and every year of probation. Such  
12 costs, which are currently set at \$2,304 per year and may vary  
13 from year to year, shall be payable to the Division at the  
14 beginning of each calendar year. Failure to pay such costs shall  
15 constitute a violation of probation.

16           **14. LICENSE SURRENDER**

17           Following the effective date of this decision, if  
18 respondent ceases practicing due to retirement, health reasons or  
19 is otherwise unable to satisfy the terms and conditions of  
20 probation, respondent may voluntarily tender his/her certificate  
21 to the Division. The Division reserves the right to evaluate the  
22 respondent's request and to exercise its discretion whether to  
23 grant the request, or to take any other action deemed appropriate  
24 and reasonable under the circumstances. Upon formal acceptance

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1 of the tendered license, respondent will no longer be subject to  
2 terms and conditions of probation.

3 **ACCEPTANCE**

4 I have carefully read and fully understand the  
5 stipulation and order set forth above. I have discussed the  
6 terms and conditions set forth in the stipulation and order with  
7 my attorney, Daniel S. Belsky, Esq. I understand that in signing  
8 this stipulation I am waiving my right to a hearing on the  
9 charges set forth in the Accusation on file in this matter. I  
10 further understand that in signing this stipulation the Division  
11 may enter the foregoing order placing certain requirements,  
12 restrictions and limitations on my right to practice medicine in  
13 the State of California.

14 DATED: 2-14-00

15  
16  
17  
18 Robert J Santella, mds

19 Robert John Santella, M.D.  
20 Respondent

21 I concur in the Stipulation.

22 DATED: 2-25-00

23  
24  
25 Daniel S. Belsky  
26 Daniel S. Belsky  
27 Attorney for Respondent

1 I concur in the Stipulation.

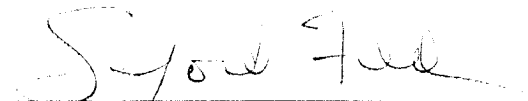
2 DATED: 2-25-00.

3 BILL LOCKYER, Attorney General  
4 of the State of California

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SANFORD FELDMAN  
Deputy Attorney General

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Attorneys for Complainant

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BILL LOCKYER, Attorney General  
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Attorneys for Complainant

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO March 17 19 99  
BY Willy Boone ASSOCIATE

BEFORE THE  
DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation  
Against:

Case No. 10-1996-61463

**ROBERT JOHN SANTELLA, M.D.**

4531 College Avenue  
San Diego, CA 92115

**ACCUSATION**

Physician's and Surgeon's  
Certificate No. G 23945

Respondent.

Complainant, Ron Joseph, as causes for disciplinary  
action, hereby alleges:

**PARTIES**

1. Complainant, Ron Joseph, is the Executive Director  
of the Medical Board of California (hereinafter the "Board") and  
brings this Accusation solely in his official capacity.

2. On or about January 11, 1973, Physician's and  
Surgeon's Certificate No. G 23945 was issued by the Board to  
Robert John Santella, M.D. ("respondent"), and at all times  
relevant herein, said Physician's and Surgeon's Certificate was

1 in full force and effect. Unless renewed, it will expire on  
2 December 31, 1999. In or about 1984, following the filing of an  
3 Accusation against respondent, the Board issued a disciplinary  
4 decision. The Decision placed respondent on probation for five  
5 years with terms and conditions including a 60 day suspension.

#### 6 JURISDICTION

7 3. This Accusation is brought before the Division of  
8 Medical Quality of the Board (hereinafter the "Division"), under  
9 the authority of the following sections of the California  
10 Business and Professions Code (hereinafter "Code"):

11 A. Code section 2227 provides, in pertinent  
12 part, that the Division may revoke, suspend for a period not  
13 to exceed one year, or place on probation and order the  
14 payment of probation monitoring cost, the license of any  
15 licensee who has been found guilty under the Medical  
16 Practice Act.

17 B. Code section 2234 provides, in pertinent  
18 part, that the Division shall take action against any  
19 licensee who is charged with unprofessional conduct.  
20 Unprofessional conduct includes, but is not limited to,  
21 the following:

22 ". . . .

23 "(b) Gross negligence.

24 "(c) Repeated negligent acts.

25 "(d) Incompetence.

26 ". . . ."

27 ///

1                   C.    Code section 2266 provides, in pertinent  
2                   part, that the failure of a physician and surgeon to  
3                   maintain adequate and accurate records relating to the  
4                   provision of services to their patients constitutes  
5                   unprofessional conduct.

6                   D.    Code section 125.3 provides, in part, that  
7                   the Board may request the administrative law judge to direct  
8                   any licentiate found to have committed a violation or  
9                   violations of the licensing act, to pay the Board a sum not  
10                  to exceed the reasonable costs of the investigation and  
11                  enforcement of the case.

12                 4.    Section 14124.12 of the Welfare and Institutions  
13                 Code provides, in pertinent part, that: "Upon receipt of written  
14                 notice from the Medical Board of California, the Osteopathic  
15                 Medical Board of California, or the Board of Dental Examiners of  
16                 California, that a licensee's license has been placed on  
17                 probation as a result of a disciplinary action, the department  
18                 [of Health Services] may not reimburse any Medi-Cal claim for the  
19                 type of surgical service or invasive procedure that gave rise to  
20                 the probation including any dental surgery or invasive procedure,  
21                 that was performed by the licensee on or after the effective date  
22                 of probation and until the termination of all probationary terms  
23                 and conditions or until the probationary period has ended,  
24                 whichever occurs first. This section shall apply except in any  
25                 case in which the relevant licensing board determines that  
26                 compelling circumstances warrant the continued reimbursement  
27                 during the probationary period of any Medi-Cal claim, including



1 any claim for dental services, as so described. In such a case,  
2 the department shall continue to reimburse the licensee for all  
3 procedures, except for those invasive or surgical procedures for  
4 which the licensee was placed on probation."

5 **FIRST CAUSE FOR DISCIPLINE**

6 (Incompetence)

7 5. Respondent Robert John Santella, M.D., is subject  
8 to disciplinary action on account of the following:

9 PATIENT ELLA M.

10 A. Patient Ella M. (hereinafter "Ella"), a then  
11 46 year old Gravida 1, Para 1 female, first presented to on  
12 November 4, 1994. She had dysfunctional bleeding and a left  
13 adnexal mass that respondent continued to observe until he  
14 performed surgery on March 30, 1995.

15 B. On March 30, 1995, without first invest-  
16 igating the possibility of an intrauterine malignancy,  
17 respondent performed a vaginal hysterectomy without  
18 laparoscopic assistance.

19 C. During the surgery, he discovered that the  
20 adnexal lesion was markedly adherent to the pelvic area and  
21 the omentum. Accordingly, the lesion was extremely  
22 difficult to remove.

23 D. Portions of respondent's chart notes for Ella  
24 have diagrams drawn over them, making the notes difficult to  
25 read and making it difficult to discern the goals of the  
26 diagnostic evaluation or treatment plan.

27 ///

1                                    PATIENT JACKIE W.

2                    E.    Patient Jackie W. (hereinafter "Jackie"), a  
3                    then 30 year old Gravida 5, Para 3 female with a history of  
4                    long standing pelvic inflammatory disease and multiple  
5                    surgeries, first presented to respondent on January 6, 1994  
6                    with complaints of irregular bleeding and pelvic pain. On  
7                    January 12, 1994, respondent performed a diagnostic  
8                    laparoscopy and the endocervical portion of a D&C, during  
9                    which he noted and drained multi-cystic ovaries. The D&C  
10                   was reported as revealing severe dysplasia even though a pap  
11                   smear two days earlier was negative. Further, respondent  
12                   failed to perform a cone biopsy or loop excision to  
13                   determine the appropriate method of treatment. And, in  
14                   fact, final pathology did not confirm the presence of  
15                   endocervical dysplasia.

16                   F.    On February 9, 1994, Jackie was admitted to  
17                   the hospital for a total vaginal hysterectomy for severe  
18                   endocervical dysplasia and chronic pelvic pain. A right  
19                   ovarian cystectomy was performed during the surgery.

20                   G.    Respondent went on to perform a right  
21                   laparoscopic oophorectomy in August 1994, followed by a left  
22                   salpingo-oophorectomy and appendectomy in June 1995.

23                   H.    Portions of respondent's chart notes for  
24                   Jackie have diagrams drawn over them, making the notes  
25                   difficult to read and making it difficult to discern the  
26                   goals of the diagnostic evaluation or treatment plan.

27                   ///

1                                    PATIENT THREE

2                    I.    Patient Three, a then 60 year old female,  
3                    first presented to respondent on July 31, 1995, for a  
4                    preoperative evaluation of a suspected ovarian malignancy.

5                    J.    On August 7, 1995, respondent performed a  
6                    total abdominal hysterectomy and bilateral salpingo-  
7                    oophorectomy with pelvic washings. An ovarian tumor showing  
8                    no surface irregularities was removed without rupture.  
9                    Intraoperative frozen section diagnosis was reported as  
10                   mucinous ovarian neoplasm with some features suggesting  
11                   possible borderline tumor. Respondent did not perform a  
12                   lymph node biopsy or omentectomy.

13                   K.    Portions of respondent's chart notes for  
14                   Patient Three have diagrams drawn over them, making the  
15                   notes difficult to read and making it difficult to discern  
16                   the goals of the diagnostic evaluation or treatment plan.

17                   6.    Respondent Robert John Santella, M.D., is subject  
18                   to disciplinary action in that he was incompetent, in violation  
19                   of Code section 2234 (d), in connection with his care and  
20                   treatment of Ella, Jackie and Patient Three, in that:

21                   A.    Complainant realleges paragraph 5 above and  
22                   incorporates it by reference herein.

23                   B.    Respondent performed a vaginal rather than  
24                   abdominal hysterectomy on Ella.

25                   C.    Respondent failed to perform a cone biopsy or  
26                   loop excision to evaluate Jackie's reported endocervical  
27                   dysplasia prior to her hysterectomy.

1                   D.    Respondent failed to refer Jackie for  
2                   psychiatric evaluation in the midst of her multiple  
3                   gynecological surgeries.

4                   E.    Respondent frequently drew anatomic diagrams  
5                   over his clinical notes regarding Ella, Jackie and Patient  
6                   Three, making those notes difficult to read and making it  
7                   difficult to discern the goals of his diagnostic evaluation  
8                   and his treatment plan.

9                   **SECOND CAUSE FOR DISCIPLINE**

10                  (Repeated Negligent Acts)

11                  7.    Respondent Robert John Santella, M.D., is further  
12                  subject to disciplinary action in that he committed repeated  
13                  negligent acts, in violation of Code section 2234 (c), in  
14                  connection with his care and treatment of Ella, Jackie and  
15                  Patient Three, in that:

16                  A.    Complainant realleges paragraphs 5 and 6  
17                  above and incorporates them herein by reference.

18                  B.    Respondent failed to rule out endometrial  
19                  malignancy with a screening endometrial biopsy prior to  
20                  performing a vaginal hysterectomy for abnormal bleeding on  
21                  Ella.

22                  C.    Respondent performed a vaginal rather than  
23                  abdominal hysterectomy on Ella.

24                  D.    Respondent failed to perform a cone biopsy or  
25                  loop excision to evaluate Jackie's reported endocervical  
26                  dysplasia prior to her hysterectomy.

27                  ///

1                   E.    Respondent failed to refer Jackie for  
2                   psychiatric evaluation in the midst of her multiple  
3                   gynecological surgeries.

4                   F.    Respondent failed to obtain a confirmatory  
5                   omental biopsy or perform a partial omentectomy in  
6                   connection with his evaluation of Patient Three.

7                   G.    Respondent frequently drew anatomic diagrams  
8                   over his clinical notes regarding Ella, Jackie and Patient  
9                   Three, making those notes difficult to read and making it  
10                  difficult to discern the goals of his diagnostic evaluation  
11                  and his treatment plan.

### 12                   **THIRD CAUSE FOR DISCIPLINE**

13                  (Failure to Maintain Adequate and Accurate Records)

14                  8.    Respondent Robert John Santella, M.D., is further  
15                  subject to disciplinary action for unprofessional conduct in that  
16                  he failed to maintain adequate and accurate records, in violation  
17                  of Code section 2266, as more specifically set forth in  
18                  paragraphs 5, 6 and 7 above, which are incorporated herein by  
19                  reference.

### 20                   **PRAYER**

21                  WHEREFORE, complainant requests that the Division hold  
22                  a hearing on the matters alleged herein, and that following said  
23                  hearing, the Division issue a decision:

24                  1.    Revoking or suspending Physician's and Surgeon's  
25                  Certificate No. G 23945, heretofore issued to respondent Robert  
26                  John Santella, M.D.;

27                  ///

1                   2.     Directing respondent Robert John Santella, M.D.,  
2 to pay to the Board a reasonable sum for its investigative and  
3 enforcement costs of this action, and directing respondent, if  
4 placed on probation, to pay the costs of probation monitoring;  
5 and,

6                   3.     Taking such other and further action as the  
7 Division deems appropriate to protect the public health, safety  
8 and welfare.

9                   DATED: March 17, 1999

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*Ron Joseph by  
S. Joseph Fild*

Ron Joseph  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California

Complainant

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